

App F IX 4

1933.

File No 90-33

Previous References

(ml)

Serial Nos /

Later References

ml 32-34 (1-2)

ml 60-38-84, 2, 3, 4

ml 45-43-17, 18, 34 & 35

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for September 33

SUBJECT

Delegation of powers of Govt to the Deputy
Commissioners of District under section 6 (3)
(a) (b) and (d) of the Mysore Municipal
Regulation, 1933

sl/

To

The Commissioner M. G.
Notified no 2 1367 & 18/8/33

Notifies the -

Serial
No

486

of Govt

Delegation of Powers *of Govt* under Section 107 of the
Pore Minor Municipalities Regulation, 1933 to
subordinate officers *of Govt*

***** 0

Under Section 107 of the Pore Minor Municipalities Regulation, 1933, Government may, subject to certain condition and restrictions as may be prescribed, delegate any of its powers under the Regulation to any officer subordinate to it. It is proposed to delegate powers under the following sections of the Regulation to the Deputy Commissioners of Districts.

(1) Section 6 (3) (a) and (b) relating to the nomination of non-officials to municipal councils, *and the fixing of the number of each class of councillors*
(2) Section 10 (5) relating to the appointment of the President or Vice-President in default of election

(3) Section proviso to sub section (f) of section 11 relating to the removal of disqualification of candidates *ordered by the municipality* for corrupt practice,

(4) Section 71 relating to the suspension or prohibition of the levy of objectionable taxes

(5) Section 72 relating to special powers of Government with regard to *raising of* taxation *where the income is not sufficient*

2 In respect of the above matters generally the opinion of ~~the District Commissioner~~ *the Deputy Commissioner* will be ~~submitted~~ *approved* by Government with a view to minimise correspondence in this behalf with Government the delegation of the

① The power under clause (d) was ~~delegated~~ *absolutely delegated*, as it follows the power in clause

10 *10/10/33*

11 *11/11/33*

12 *12/12/33*

now is proposed and a draft notification
submitted for consideration and orders

25
13/2/33 → 3 Sec 6(3)(a) Power to nominate

The delegation of the power
of nomination of ~~non~~ non officials to the Dy Com
may not be liked by the people whose representatives
on the Rep^y Council & the Dy Com have been
opposing for the abolition of the system of nomination
altogether. One of the reasons used is that Govt base
their nominations on the recommendations of local
officers who in view of their preferences cannot
be depended upon for proposing the names of
proper candidates for nomination. So long, however,
as the system of nomination continues Govt have to
consult the Dy Com and as in most cases the
nominations of the latter are approved by Govt, there
appears to be no harm in delegating the power to
the Dy Com themselves. The Dy Com will of course
follow the general or special instructions to be issued
by Govt in regard to the nominations. The Dy Com
are exercising this power in the case of Village Sanchoys.

Sec 6(3)(b) Power to nominate members

4 There appears to be no objection
to the power being given to the Dy Com, to be exercised
in accordance with the general instructions to be issued
by Govt. This decentralisation will result in the
reduction of correspondence in the Sect.

Sec 6(3)(d) Nomination in default of election

5 This follows the power under clause (a)
of that power is given this may also be delegated.

6 Sec 10(5) Nomination of President in default of election

The delegation of this power does not appear necessary, unless
the power to nominate a President under sub sec (2)(a) is also delegated.

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Agree to
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7 Sec 11 (6) Power to remove disqualification ordered by Municipality

The Municipality decision is made conclusive under this provision but power is reserved to Govt to relieve, by an order made by them, a candidate from the disqualification. It would perhaps not be expedient to entrust this power of revision as it were to the Dycom when the decision of the Municipality is reached after a regular trial, and the intention is perhaps to retain this power with the Govt.

8 Secs 71 and 72 Power to suspend or raise taxes

The delegation proposed is for orders. Sections 62 and 63 vests power with Govt to approve of the levy of additional taxes or the abolition or dispensation of the existing taxes, and the delegation under Secs 71 & 72 may not be quite allright.

9 Foraden

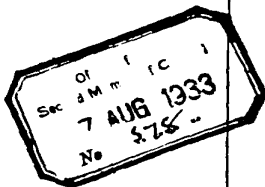
(See Secy)

(Indemnity)

17 I agree with the Govt. Generally the imp't delegation is the power to nominate M.C.s. In the case of the minor ones, there is no objection to entrust the D.C. with this power in accordance with rules to be framed in their behalf.

GENERAL SECRETARY

18 act necessary
27/7/33
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NOTE—Contn Sheet

Delegation of certain powers to the Deputy Commissioner
 under the Minor Mills Regulation, 1933
 File No. 90 of 1933-34 General and Revenue Secretariat

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 No 21367 of 18-8-33
 notes the delegation of certain
 powers to the D.C. of dist under
 Sec 6 (3) (a), (b) & (c) of the Mysore
 Minor Municipalities Regulation, 1922

the D.C. of dist
 No 21368-75 of 18/8/33
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Notification

In exercise of the powers vested in
 them by and under section 107 of the Mysore
 Minor Municipalities Regulation 1933, the
 Government of His Highness the Maharaja of
 Mysore are pleased to delegate to the
 Deputy Commissioners of District the powers
 of the Government under the following sections
 of the said Regulation in respect of the
 minor municipalities in their respective

jurisdiction -

- (1) Section 6 (3) (a) and (b) (d) 27
- ~~(2) Section 101~~
- ~~(3) Section 102~~
- ~~(4) Section 71, and~~
- ~~(5) Section 72,~~

2 - Power to elect
 members of the
 committee of
 the municipality
 in the absence of
 the members of the
 committee of the
 municipality
 due to death of
 members of the
 committee of the
 municipality
 failure to elect

2 In exercising the aforesaid powers the
 Deputy Commissioners shall act in conformity
 with any general instructions issued by the
 Government in the matter

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General Secretary to Govt.

To *187/33*

The Compiler, Mysore Gazette,
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new to
 copy to the *2* of *27/7/33*
 information & guidance

File 2.1367/MR 90-32-1. 8/18/33
NOTIFICATION

In exercise of the powers vested ~~in them by and~~ under section 107 of the Mysore Minor Municipalities Regulation, 1933, the Government of His Highness the Maharaja of Mysore are pleased to delegate to the Deputy Commissioners of Districts the powers of the Government under the following sections of the said Regulation in respect of the minor municipalities in their respective jurisdictions:-

- (1) Section 6(3)(a)-Power to appoint Councillors by name or by office
- (ii) Section 6(3)(b)- Power to fix the number of each class of Councillors
- (iii) Section 6(3)(d)- Power to appoint Councillors to fill up vacancies due to want of candidates or failure to elect

2 In exercising the aforesaid powers, the Deputy Commissioners shall act in conformity with any general or special instructions that may be issued by the Government in the matter

B O
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To *PRR* General Secretary to Govt
The Compiler, Mysore Gazette,
for publication.

Memo No *2 1368-75-8 18/8/33*

Copy to the D C s of Districts for information and guidance

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ltm
General Secretary to Govt
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MUNICIPAL AND LOCAL BOARDS

No L 1367—VL 90 33 1 dated 18th August 1933

In exercise of the powers vested under section 107 of the Mysore Minor Municipalities Regulation 1933 the Government of His Highness the Maharaja of Mysore are pleased to delegate to the Deputy Commissioners of Districts the powers of the Government under the following sections of the said Regulation in respect of the minor Municipalities in their respective jurisdiction —

- | | |
|-------------------------|---|
| (i) Section 6 (3) (a) | Power to appoint councillors by name or by office |
| (ii) Section 6 (3) (b) | Power to fix the number of each class of councillors |
| (iii) Section 6 (3) (d) | Power to appoint councillors to fill up vacancies due to want of candidates or failure to elect |

2 In exercising the aforesaid powers the Deputy Commissioners shall act in conformity with any general or special instructions that may be issued by the Government in the matter

By Order
H V RAMASWAMI
Secretary to Government
General Department